REMARKS

Claims 1-15 remain pending in the application. Claims 1, 4, 5, and 12 have been amended without introduction of new matter. Favorable reconsideration is respectfully requested in view of the above amendments and the following remarks.

Before addressing the substantive issues raised in the Office Action, it is noted that the Preliminary Amendment filed on October 4, 2005 inadvertently deleted the final periods (i.e., ".") from each of claims 4 and 5. Accordingly, claims 4 and 5 have now been amended to correct this informality.

Claims 1 and 12-15 stand rejected under 35 U.S.C. §102(b) as allegedly being anticipated by Jokinen et al. (WO/0237868 -- hereinafter "Jokinen"). This rejection is respectfully traversed.

The invention relates to methods and apparatuses for synchronizing measurement events within a portable radio communication apparatus having multiple and operatively interconnected radio access technology (RAT) devices. The radio access technology devices can be based on different access technologies (e.g., GSM and WCDMA). As explained in Applicants' specification at page 3, lines 8 *et seq.*, regardless of whether the different radio access technology devices utilize common radio resources, there is a particular problem associated with a situation in which a dual RAT terminal is camping on a scheme belonging to a GSM network and where the terminal does not support WCDMA measurements to be performed while the GSM RAT device is either receiving or transmitting. It is therefore desirable to provide a strategy that deals with the measurement event scheduling problem between the radio access technology devices within the portable radio communication apparatus.

Applicants' variously claimed embodiments address these problems. For example, as now amended, claim 1 defines

> Claim 1: A method for synchronizing measurement events within a portable radio communication apparatus providing multiple radio access technologies including a first radio access technology device and a second radio access technology device, comprising the steps of:
>
> identifying an idle gap between transceiver activities of the first radio access technology device suitable for usage by the second radio access technology device, and

sending an execute signal from the first radio access technology device to the second radio access technology device for initiating inter radio access technology measurements of said second radio access technology device to be performed during said gap.

That the method for synchronizing measurement events is performed "within" a portable radio communication apparatus is supported in the specification at, for example, Figure 2 (which depicts different layers of hardware and software of the apparatus 100, including a radio resource (RR) block 203), and page 11, lines 13-15 (which describes an exemplary embodiment in which the RR 203 plans the schedule.

The original claim 1 already defined the portable radio communication apparatus "providing multiple radio access technologies", but the claim has been amended to emphasize that this "includ[es] a first radio access technology device and a second radio access technology device." Support for this amendment can be found in the specification at, for example, Figure 1A and supporting text.

Claim 1 has also been amended to emphasize that "identifying an idle gap ...." involves identifying an idle gap that is "suitable for usage by the second radio access technology device." Support for this amendment can be found in the specification at, for example, page 11, lines 13-16.

Claim 1 has been further amended to even more clearly emphasize that the "execute signal" is sent "from the first radio access technology device to the second radio access technology device." Support for this amendment can be found in the specification at, for example, page 11, lines 16-18.

Independent apparatus claim 12 has been similarly amended.

Embodiments defined by independent claims 1 and 12 are patentably distinguishable over the Jokinen document at least because Jokinen neither discloses nor suggests:

- identifying an idle gap between transceiver activities of the first radio access technology device suitable for usage by the second radio access technology device, and
- sending an execute signal from the first radio access technology device to the second radio access technology device for initiating inter radio access technology measurements of said second radio access technology device to be performed during said gap.

(Emphasis added.)

According to the method disclosed in Jokinen, a mobile station determines whether a certain base station uses dynamic configurations or not. (See, e.g., Jokinen at page 6, lines 5-8.) The information about the use of dynamic configuration is important during handover between cells using different radio access technologies. (See, e.g., Jokinen at page 2, lines 15-20). Thus, according to Jokinen, sets of preconfiguration parameters making up the dynamic configurations must be transferred from the base station to the mobile station.

In order to perform the method according to Jokinen, the following steps are performed: The base stations, independently of radio access technology, use a broadcast control channel to broadcast control signals to the mobile station. (See, e.g., Jokinen at page 6, lines 14-16.) In a first step of the method according to Jokinen, it is determined whether the signal level or quality of the control signal meets predetermined criteria. If it does, the mobile station tries to determine whether dynamic configurations are in use or not by periodically receiving and attempting to decode the signal on the control channel. First, a CRC check is made. If it fails, a new attempt to receive and decode is made after a time interval T_attempt. If it is successful, the dynamic configurations are read, if there are any. (See, e.g., Jokinen at page 14, line 25 through page 15, line 28.)

According to Jokinen, this method is performed when the mobile station is in an IDLE mode. (See, e.g., Jokinen at page 15, line 29 through page 16, line 2.) How this is done or if there is a problem or conflict between different radio access technologies is not further mentioned. The only thing mentioned is that a controller/timer module is aware of the paging reception timing interval information, which of course depends on the telecommunication standard in use. (See, e.g., Jokinen at page 25, lines 21-24.) The controller uses this information and a timer to control the reading of the dynamic configuration parameters. The timer is used to make a new reading attempt after a predetermined time period after a failure to read the dynamic configurations. (See, e.g., Jokinen at page 25, lines 24-32.) Thus, the method of Jokinen does not, beforehand, decide or determine when it is suitable to transmit dynamic configurations. Thus, it can be characterized as a passive non-planning method.

By contrast, Applicants' claimed embodiments call for planning in the form of "identifying an idle gap between transceiver activities of the first radio access technology device suitable for usage by the second radio access technology device."

In further contrast to Jokinen, Applicants' claimed embodiments relate to the synchronization of measurement events in different access technologies within a portable radio communication apparatus and not communication between a base station and the portable radio communication apparatus. Jokinen does not disclose any synchronization of measurement events within a portable radio communication apparatus providing multiple radio access technologies, but instead shows the transmittal of information, concerning handover between cells using different radio access technologies, from a cellular network to a mobile station.

Furthermore, in Jokinen the mobile station does not identify an idle gap between transceiver activities of a first radio access technology device suitable for usage by a second radio access technology device, but instead uses the idle mode of the mobile station to obtain dynamic configurations.

Jokinen additionally lacks any teaching of sending an execute signal from the first to the second radio access technology devices within the portable radio communication apparatus, and instead sends a control signal from the base station to the mobile station.

The Office relies on Jokinen at page 14, line 25 through page 16, line 2 as allegedly showing a step of sending an execute signal to a second radio access technology device for initiating inter radio access technology measurements of said second radio access technology device to be performed during said gap. This reliance is not understood because, to Applicants' best knowledge, Jokinen does not describe the sending of an execute signal from a first to a second radio access technology device *all within the portable radio communication apparatus*.

For at least the foregoing reasons, independent claims 1 and 12, as well as claim 12's dependent claims 13-15, are believed to define subject matter that is novel and nonobvious over that which is disclosed by Jokinen. Accordingly, it is respectfully requested that the rejection of claims 1 and 12-15 under 35 U.S.C. §102(b) be withdrawn.

Claims 2-11 stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Jokinen in view of Breuer et al. (WO 02/39758 -- hereinafter "Breuer"). This rejection is respectfully traversed.

Claims 2-11 all depend from independent claim 1, and are therefore patentably distinguishable over the Jokinen document for at least the same reasons as those set forth above. Breuer fails to make up for the deficiencies of Jokinen, so that any combination of Jokinen with Breuer would still lack at least the following claimed features:

- identifying an idle gap between transceiver activities of the first radio access technology device suitable for usage by the second radio access technology device, and
- sending an execute signal from the first radio access technology device to the second radio access technology device for initiating inter radio access technology measurements of said second radio access technology device to be performed during said gap.

(Emphasis added.)

In Breuer, a first base station signals at least one parameter of a time interval to a user station. (See, e.g., Breuer at page 4, lines 24-28.) This is in sharp contrast to Applicants' presently claimed embodiments in which the portable radio communication apparatus itself identifies an idle gap for usage by a second radio access technology device. Furthermore, Breuer shows a method that starts and is initiated from a first base station and not from a user station. (See, e.g., Breuer English language Abstract.) Thus, there is no teaching in Breuer that would enable a skilled person at the time of the invention to devise a strategy and/or apparatus by which a portable radio communication apparatus is able to synchronize measurement events itself.

For at least the foregoing reasons, the subject matter defined by each of dependent claims 2-11 is believed to be patentably distinguishable over Jokinen and Breuer, regardless of whether these documents are considered individually or in combination. Accordingly, it is respectfully requested that the rejection of claims 2-11 under 35 U.S.C. §103(a) be withdrawn.

The application is believed to be in condition for allowance. Prompt notice of same is respectfully requested.

Respectfully submitted,
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